

Introduced by Senator Soto

February 17, 2005

An act to add Section 739.11 to the Public Utilities Code, relating to electricity.

LEGISLATIVE COUNSEL'S DIGEST

SB 441, as introduced, Soto. Electricity: rates.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law authorizes the commission to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. Existing law requires electrical corporations furnishing electricity to an agricultural producer to prepare and file tariffs providing for optional off-peak demand service, including the availability of time-differentiating meters or other measurement devices.

This bill would, with certain exceptions, provide that no residential or small commercial customer of an electrical corporation with average usage of less than 1,000 kilowatthours per month and occupying a building that was constructed prior to January 1, 2005, may be required to take service under a time-differentiated rate schedule.

Under existing law, a violation of the Public Utilities Act or an order or direction of the commission is a crime.

Because the provisions of this bill would be a part of the act, the bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 739.11 is added to the Public Utilities
2 Code, to read:
3 739.11. Except for customers participating in a pilot program
4 authorized by Section 393 and customers with distributed energy
5 resources that participate in a real-time metering and pricing
6 program pursuant to Section 353.3, no residential or small
7 commercial customer of an electrical corporation with average
8 usage of less than 1,000 kilowatthours per month and occupying
9 a building that was constructed prior to January 1, 2005, shall be
10 required to take service under a time-differentiated rate schedule.
11 SEC. 2. No reimbursement is required by this act pursuant to
12 Section 6 of Article XIII B of the California Constitution because
13 the only costs that may be incurred by a local agency or school
14 district will be incurred because this act creates a new crime or
15 infraction, eliminates a crime or infraction, or changes the
16 penalty for a crime or infraction, within the meaning of Section
17 17556 of the Government Code, or changes the definition of a
18 crime within the meaning of Section 6 of Article XIII B of the
19 California Constitution.